

NEW YORK, TUESDAY, JANUARY 28, 1879.

THOSE CIPHER DESPATCHES.

GENTLEMEN FROM THE WESTERN UNION TELEGRAPH OFFICE TESTIFYING.

A Revelation Concerning the Methods of Chandler and Tyner During the Election— Tyner's Weak Explanation–How the Published Cipher Telegrams were Obtained.

WASHINGTON, Jan. 27 .- "The Democrats," said Dr. Hiscock to-day, "have invited us to a feast and provided us with a bill of fare, but they don't stick to it; they propose to vary the dishes." To which Mr. McMahon replied: 'And you don't enjoy the pork and beans we are now tendering you." This little sally of wit occurred in a discussion in the Potter Commitsee as to whether the cipher investigation should or should not be confined to the telegrams pubished by the New York Tribune. The Republican members of the Committee are not at all pleased with the way the Democrats have opened the inquiry. Instead of confining the investigation to the few cipher despatches which, it is alleged, the Tribune has correctly translated, all of which purport to be Democratic telegrams, the Committee has gone to work systematically. In the first place they have accepted from Gen. Butler the originals of all the despatches that came into his possession, copies of which it is admitted were given to the Tribune before he received them. To verify the translations of those made by the dune and to translate the rest the Committee has employed as an expert a gentleman of high character, the man who discovered the keys of the ciphers translated for the *Tribune*. This expert was sworn to-day, and begins immediately his labors. The next step taken by the Committee was to ascertain all they could about the entire telegraphic correspondence between the leaders of both parties immediately before and after the election of 1876. To do this they subpænaed the persons designated by the officers of the Western Union Telegraph Company as the ones who knew the most about this correspondence. These persons were Clarence Cary, the Office Attorney of Company, and Dr. J. O. Green, the son of Dr. Norvin Green, now President, and in 1876-7 First Vice-President. Dr. J. O. Green was in 1876-7 the confidential clerk of his father, and thus became informed of certain facts con-nected with the cipher telegrams. The two er employees of the Company who were

The telegraph company has been placed in an embarrassing position by the surreptitious publication of certain telegrams which it was supposed to have in its custody. It is therefore auxious to throw all the light it can upon the whole transaction by which its business in-terests have been injured. It is due to the company to say that it never wanted the Congressional Committee to obtain the telegrams of either political party. Before Congress met it began to collect from every important part all the telegrams of a political character. These were taken to New York and placed in the charge of Mr. Cary, the York and placed in the charge of Mr. Cary, the attorney of the company, where it was thought they would be safe from a subpoena. Mr. Green and Mr. Grant were charged with the duty of selecting the political despatches, and in case of doubt in their minds, they consuited Mr. Cary. They were guided in the ciphers by the names of the persons sending and receiving the telegrams. If they had any doubts, they gave the political parties the benefit of the doubt, their object being to get out of their files all political despatches, no matter by whom sent. The company desired to get ahead of Congressional espatches, no matter by whom sent. The ompany desired to get ahead of Congressional

named by the President were Floyd Grant and Leonard Whitney. The former is an expert

who had charge in 1876-7 of the collection of all political telegrams and their assortment in

Wm. Orton. Mr. Whitney is the manager of the Washington office of the Western Union Company, and was charged with the responsibility of the custody of the telegrams when they were sent to this point for delivery to the committees

dience to the orders of the then President, Mr.

company desired to be committees just once.

The result of the examination to-day of the result of the examination to-day of the manual of the result of the examination to-day of the company desired to the The result of the examination to-day of the entitlemen above named (Messrs, Cary, Green, rant, and Whitney), disclosed, first, that a edium-sized Saratoga trunk full of political egrams was brought to Washington and placed the custody of the managers of the office re. There were, all told, about thirty-one cusand of these telegrams, about equally yided between the two parties. There were cut as many cipher telegrams sent by one as the other party. The majority of the plain glish despatches, however, were inquiries election news and the replies thereto. The portant telegrams probably did not exceed our three thousand. All the telegrams, save out 300, went into the room of the Senate militee on Privileges and Elections, but yild not all come out. The startling development of to-day's examination was to the efficiency of the company and the files of the telephonomic of the senate in Indianapolis, were swed to withdraw from the files of the telephonomic of the senate in Indianapolis, were swed to withdraw from the files of the telephonomic of the senate of the telephonomic of the company and and received just one the October election in Indiana. The senate of the sales of the same (\$5,000) to the Republican cammination of the order in the same letter, senate the same (\$5,000) to the Republican cammination of the same (\$5,000) to the Republican cammination in Indiana. It was this development disgusted the Republican members of the mittee with the feast to which they had a link they for the record altogether to dig up to the same (\$5,000) to the Republican cammination of the course of the same (\$5,000) to the Republican cammination of the course of the same (\$5,000) to the Republican cammination of the course of the same (\$5,000) to the Republican cammination of the course of the same (\$5,000) to the Republican cammination of the course of the s oney to carry the State of Indiana for icans. It is ugly because they knew scould not be explained if the telesever made public, and hence they ever made public, and hence they som destroyed. It is ugly for Mr. Orory, because he gave the order, and the order to be destroyed, another of the parties implicated the language used in their telegrams led to mean something else, was so and was very innocent. If so, why an them taken from the files, so that second committee could ever find

e was still another ugly development for sublicans to-day. All the telegrams were to the Senate Committee on Privileges actions, save about three hundred, which the Morrison Committee of the House, elatter a schedule was kept. Mr. Morreturned all the despatches he reast his receipt, with schedule d. given by the telegraph company shows. The Senate Committee gave the manager of the telegraph company he trunk tuil of despatches it had reand they were destroyed last May. The ph company supposed it had received all patches it had surrendered. It had not essenger of the Senate Committee on ges and Elections, a fellow named Bullom Indiana, brought last June a bundle grams to Mr. Evans, a Republican memongress from Indiana. Mr. Evans gave note to Mr. Brady, Second Assistant Post-General, and from that bundle the Tristance the copies it has published. Bulls made at the instance of Mr. Evans and to Mr. Brady, Second Assistant Postmeral, and from that bundle the Trimed the copies it has published. Bullade, at the instance of Mr. Evans and ana Republicans. Consul to Cologne, y for the service he rendered in carabstracted telegrams. It will be demanded to the service he rendered in carabstracted telegrams. It will be demanded to the service he rendered in carabstracted telegrams. It will be demanded to the service he will be demanded to the service him to the service he will be demanded to the service him to the service hi

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Frant, who surpervised the selecelegrams, explained how he did it.
Washington to comply with subdupon Capt. Whitney. He opened
dupon capt. Whitney.

29.275. The telegrams were about evenly divided as regards party. A number were sent by Z. Chandler from the Fifth Avenue Hotel. There were some signed Havemeyer, some Hooper, and others Noyes. He thought Mr. Chandler's messages went to Florida. Others went to New Orleans and Oregon. He thought of the 29.000 telegrams, some 300 of them were in cipher.

Chandler's messages went to Florida. Others went to New Orleans and Oregon. He thought of the 29,000 telegrams, some 300 of them were in cipher.

Capt. Leonard Whitney, manager of the Western Union Telegraph Company at Washington, was then sworn, and produced a schedule showing over 300 telegrams delivered to the Morrison Committee. He thought Mr. Morrison returned the despatches, but did not resollect the time. Other schedules were produced, showing that various telegrams which he was called upon to submit were delivered to the Senate Committee on Privileges and Elections. These were delivered in two different packages. The telegrams, when returned to Capt. Whitney, were in the trunk heretofore mentioned. He inquired of the person who brought them whether they were all in the trunk—meaning the two different supplies furnished previous to the time the trunk was sent—and he was informed that they were. The trunk was then ordered to New York, and that was the last he knew of it. It was sent to Mr. Hunter, the supply agent.

Gen. Butler Interrogated witness with a view to ascertaining whether all the telegrams were returned to him. Witness, however, never heard of any of them being missing.

To Mr. Hunter witness said that when the trunk was returned to him the schedules previously prepared were not verified by the contents of the trunk, it being immediately shipped to New York as per order of President Orton.

To Mr. McMahon witness said that Mr. Van Horne gave a verbal order in his (Whitney's) office to collect all political telegrams from the files, and forward them to New York. No conversation as to the cause of this unusual procedure occurred between witness and Mr. Van Horne, however.

Mr. Hiscock (laughingly, after some interrogatories concerning the telegrams delivered to the Morrison—It has been stated that the trunk was rified by the Morrison Committee. Mr. Chairman.

Mr. Morrison—It has been stated that the trunk was rified by the Morrison Committee. When it comes to that point you will find the laugh w

which were handed to the Committee by Gen Butler.

Mr. James O. Green testified that he was chief clerk of the Western Union Telegraph Company on railway relations and free service; also acted as a sort of confidential clerk to his father, the present President. In a letter just read his father referred to the fact of having handed over the key of a trunk, containing despatches, to him, directing that the contents should be destroyed. This was in May, last year. He took the despatches down in the basement of the Western Union premises, and cast them into the furnace in bundles.

By the Chairman—Was there a strong firs? A.—Yes, and I took a power and saw that they were properly consumed.

By the Chairman—Was there a strong fire? A.—Yes, and I took a poker and saw that they were properly consumed.

Q.—There was no chance of any of them escaping by the chimney? A.—No, sir; every one was burned. I could not say if all the telegrams were returned in the trunk. Twenty-five per cent. might have been taken out without its being noticed. I cannot tell whether packages had been opened. They could not have been opened while the trunk was in New York. The key was in the rossossion of my father, and the trunk was in Chicago, where it was carefully watched by a countetent man, and it was reasonably certain therefore that the trunk could not have been tampered with.

Q.—You were not destroying them to keep them out of the way of any Committee? A.—Not at all. I think I successed to my father that they should be destroyed because several gentlemen inquired about them. Gen. Bristow was one who inquired where the messages were, and several others made similar inquiries with regard to them. I thought they were kicking about the Committee of the country of them we kept them as required six months.

Mr. McMahon—To what political organization did President Orton belong? A.—I understood he belonged to the Republicans. I believe he took an active part in the election of Mr. Hayes.

Q.—Have you any knowledge of what passed in those telegrams? A.—Not at all. I made suggestions to my father merely in the interest of the company.

Q.—There have been a good many rumors that a number of these telegrams were kept back and not sent to Washington? A.—I do not know anything about that.

Q.—You know something of the telegraphic correspondence that has been referred to between Tyner and John Y. Foster? A.—Yes. There were five or six despatches that I know of,

Q.—These messages were taken out and cent either to

Q—Where was Foster at the time? A.—In Indianapolis, I believe.

Q—These messages were taken out and sent either to Capt. Whitney or Mr. Orten, who was in Washington at the time. By whose orders were they taken from the rest of the telegrams? A.—By order of the President.

Q—Who took them out of the flies? A.—I could not say; I think I got them from Mr. Cleary; I believe these despatches were dated 1876; I do not think they refer to the election, but to political matters and to elections remotely.

motely.

Q.—From what point was that order given? A.—The last was given by order from Washington; there were but two such orders.

Q.—Is that letter in existence? A.—No. sir. I destroyed it at the request of Mr. Orton. I think I burned it within a day or two of the time I sent the message here.

Q.—Have you any recollection of the contents of those destrations.

despatches? A.—My impression is that they referred to the sale of political offices. I cannot say what pointical offices. I understood it was in connection with the election that was going on.

Q.—What was the price mentioned? A.—There was no price mentioned. I may say that this is all inference of mine and nothing more. There was absolutely nothing in the telegrams to that effect. The air was full of the subject of politics at that time, and my impression was that it was the sale of offices in the Government or some department in behalf of the Republican Senate Committee.

Q.—By whom were they despatched? A.—Some were signed James N. Tyner.

Q.—Gly the Chairman)—Who was making the proposition and who was considering it? A.—I cannot tell from the despatch. I do not know where I got the impression that there was such sale at all, but Mr. Tyner being in office at the time I assumed that he had the disposal of such appointments.

Q.—Did these despatches give an idea that the business had been completed? A.—Yes, I remember one said put the sum represented in a bank.

Q.—From what point was that order given? A.—I cannot say.

Q.—Indianapolis? A.—It was: but I cannot say to whose credit.

Mr. Springer—Was it to the credit of the Republican party. A.—I do not know: I understood that.

Q.—Id any or the despatches indicate the amount of more credit in the same of the same

oney was named.

The Chairman-You do not know whether they referred an important office? A.—No. sir.

Mr. Reed.—You did not understand that it was the Presidial office?

al office?
Sienver—That was sold a little later.
Reed—It was attempted to be sold a little earlier.
citness)—Mr. Orton, you say, was a Republican? A.
sir. (To witness)—Mr. Orton, you say, was a Republican? A.

Yes, sir.
Q.—And during his lifetime these despatches were not destroyed? A.—No. sir.
Q.—The present President of the company, your father, is a Democrat? A.—Yes, sir.
Q.—And during the time he was acting President, these despatches were destroyed? A.—Yes.
Mr. Reed—I suppose it must come under the omnium puberom clause.
Mr. Hiscock—There is no such clause.
Mr. Cox—Do you want it to be struck out.
Mr. Reed—Oh, no; only we want to show that you are gathering together everything that has nothing to do with the investigation.

Mr. Gyant recalled, said he thought he could

Mr. Reed—Oh, no; only we want to show that you are gathering together everything that has nothing to do with the investigation.

Mr. Grant, recalled, said he thought he could identify any of the telegrams which were sent to Washington. Gen. Butler suggested that Mr. Grant be accompanied by some member of the Committee when he went to examine the telegrams which were in the hands of Mr. Holden. Cant. Whitney (recalled) was examined by Gen. Butler relative to the telegraphic correspondence that Mr. Green spoke of as being sent to Washington, which had passed between Messrs. Tyner and Foster. Witness said that as near as he remembered he had delivered one or two packages of telegrams which had been sent by Mr. Tyner through the Washington office. An order to do so would necessarily have to come from some superior official of his. He had no recollection who gave him the instructions, and did not remember having received any messages from New York.

Rapresentative Evans of Indiana was examined relative to Mr. Bullock's position as Assistant Clerk of the Senate Committee on Privileges and Elections, and naked by the Chairman whether he ever received a package of telegrams from Bullock and handed the same to Wm. E. Chander. Witness admitted having received a bundle of papers (he could not say what the contents were) from Bullock, and had handed it intact to Gen. Brady of the Post Office Department.

The Chairman handed Mr. Evans a letter purporting to be a copy of a letter received by him from Mr. Bullock, which mentioned the package as the one Evans had given Wm. E. Chandler personally.

The letter in cenclusion said that Senator Wadleigh would inform him (Evans) where Mr. Chandler could be found. (Laughter.)

After some further interrogatories, in which it was developed that Mr. Evans had not spoken to Gen. Brady on the subject since delivering the package, and had heard no more about it, a record was a search until S P. M.

After some further interrogatories, in which it was developed that Mr. Evans had not spoken to Geu. Brady on the subject since delivering the package, and had heard no more about it, a recess was taken until 8 P. M.

After recess Mr. Grant was recalled, and said that, at the order of Mr. Cary, he made another search for the despatches between Tyner and Chandler, and burned some of them. There were seven or eight altogether. One was a tel-

egram from Tyner about making two appointments in the Interior Department at salaries of \$2,500 each, and asking Mr. Chandler to do this and have the money deposited in some national bank so that it might be drawn in Indianapolis by the Republican Committee. The telegrams also contained the names of the persons to be appointed. He could not remember what those names were, but he believes one was Martin. At this point the clerk of the Committee brought in a clumsily wrapped newspaper package, and handed it to the Chairman, upon whom all eyes were immediately turned. Blushing he rose to explain:

"Gentlemen," he said, "I ordered from Mrs. Whats-her-name in the lobby, twelve copies of the Tribune special about the cipher despatches, but it seems there has been some mistake, and she has sent twelve packages of molasses candy." (Laughter.)

Mr. Reed—Either is sweet enough for this Committee.

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Mr. Reed—Either is sweet chough to the Committee.
Mr. Hiscock—It is very evident she appreciated what you wanted, or needed. (Laughter.)
The examination of Grant was then renewed, and further details were given by him of telegrams which passed between Messrs. Chandler and Tyner. He also testified with regard to a telegram from Foster relating to the same matter.

Mr. Green at this point explained that he had Mr. Green at this point explained that he had forgotten one circumstance in connection with these telegrams. The number was incomplete, and, at the suggestion of Grant, the manager at Indianapolis was notified to send on the rest.

The Chairman-You stated that you had forgotten names until you heard the last witness mention them. You do not confound the name of Zack Chandler with William E. Chandler, do you? [Laughter.]

Mr. Green-No, sir.

Gen. Butler to Grant-I want to understand somethins more about this. Typer telegraphed to Chandler, Secretary of the Interior, to appoint somebody in his department? A.—Yes, sir; two appointments of \$2,500 each.

Q.—For those appointments a certain sum of money

Q.—For those appointments a certain sum of money would be paul, and Tyner wished to have such sum deposited in the bank so it could be drawn in Indiana? A.—I said that exactly.

Mr. Reed—Deposited by whom in the bank? A.—Chandler. He was to deposit the money and make the appointments too, probably the same day or the day after. Chandler telegraphed that he had deposited money as requested.

Q -When did you first mention this? A.-Right here in this room.

When did you first menuon this? A.—Right here in this room.

Mr. Cary, being recalled, said he would like to make a statement that he knew nothing of any consequence with regard to these telesgrams, and to make an objection that what he did know was privileged knowledge, that came to him as attorney for the Western Union Telegraph Company.

Mr. Butler—Answer this question and then make an objection.

Q.—It has been testified by Mr. Grant that he received a schedule from you. From whom did you receive that schedule? A.—I plead my privilege on that question.

Mr. Butler argued that as he did not desire to ask the contents of this paper, but simply put the question for the purpose of tracing it, witness was bound to answer.

The Chairman concurred in this opinion, and witness then replied to the question from whom he got the schedule, or that he ever had it.

Mr. Butler—Then why did you object? A.—Because I kny semething further about it—behind that. Mr. Butler-Tell us what it is.

Mr. Butler-Tell us what it is.

Mr. Butler—Tell us what it is.

Witness claimed his objection, and a discussion followed on the point of privilege between him and Mr. Butler, and the latter read the law on that point.

Mr. Hiscock—It seems to me that Carry's objection is entirely proper in declaims to answer this question, and

Mr. Hiscock—It seems to me that Cary's objection is entirely proper in declining to answer this question, and it is not within the scope of our investigation.

Mr. Buttlet Ob. Scope of our investigation.

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Mr. Hiscock—The proper we there.

Mr. Hiscock—The proper was the term of the third the particular branch of inquire which the make is that the particular branch of inquire which the make is that the particular branch of inquire which the particular branch of the particul

Mr. Springer read the resolution passed in the House with regard to cipher despatches, particularly pointing out the clause, "and investigate into other matters connected with such altestion." election."
Mr. Hiscock contended that the resolution re-ferred to the despatches that had been pub-lished.

Histord.

Mr. McMahon—But these despatches are part of the machinery of the election of 1876.

Mr. Reed—What does he mean by machinery—cipher described. despatches?

Mr. McMahon—I mean officers in the Interior Department, officers in Louisiana. I mean the army. I mean an unscrupulous President, an unscrupulous lot officers, and a good many men outside who are willing to act unscrupulously.

Mr. McMahon—The General is taking a very narrow riew of it.

Mr. Hiscock—No, sir, I am not. Democrats offered the resolution in the House. They did it because their chiefain had been assauited, and we supposed that it was for the purpose of vindicating him, and also to establish the party in the eyes of the country. They did not offer to nvestigate any despatches that had been burned.

Mr. McMahon—That is, you want to investigate Democratic despatches only. I want to investigate Democratic and Democratic.

Mr. Hiscock—No. Since they shall eat the same fare.

Mr. McMahon—You do not like the pork and beans we are giving you now.

Gen. Butler here returned to the question of privilege, and read authorities on the subject. It was then determined to take a vote upon the question of whether the witness should be called upon to answer or not, when all members present voted in the affirmative with the exception of the Chairman. Witness then replied.

to some dirry piece of work in regard to the sale of offices for some political ends.

Mr. Butler—Nothing you have heard to-day has refreshed your memory so that you can say an untruthful account has been given of the telegrams—given by other witnesses?

Mr. Hiscock—I object to this question, and ask that it be ruled out. It is like putting six witnesses on the stand to testify they did not see the man steal the pork.

A vote was taken, and Messrs, Hiscock, Beed, and the Chairman voted against the question.

Witness answered that the testimony he had heard was supplementary to his recollection, and went beyond it. He did not think the despatches were cipher despatches strictly defined.

The Chairman said that he had received a letter from Mr. Brady to the effect that he would appear before the Committee next morning.

Mr. Butler—Suppose Chandler testified that he got these despatches from Mr. Brady in a newspaper bundle, you would not want Brady?

The Chairman—He might testify entirely different, and then I shall want him.

The Committee then adjourned until 11 o'clock to-morrow morning.

WASHINGTON, Jan. 27 .- The following is given by Mr. Tyner as an authentic statement of the facts by which the telegraphic witnesses before the Potter Committee to-day got the impressions as to the sale of offices for political contributions:

Notwithstanding the defeat of the Republican

State ticket in Indiana in October, 1876, it was thought that with an active canvass and a full Republican vote the State might be carried for Hayes in November. The State Committee requested financial aid from the National Committee in New York, and Mr. Z. Chandler. Chairman, agreed to furnish from the State.

or from \$5,000 to \$10,000, to aid in getting out a full vote, if Mr. Tyner, then about to visit Indiana, should telegraph that there was a reasonable prospect of success, and that the money was needed. Just as the latter was leaving New York it was arranged between him and Mr. Chandler that money should not be mentioned in the telegrams, but that Mr. Tyner should speak of the appointment of one Indian agent instead of saying \$5,000. He did telegraph that two Indian agents were wanted, and later telegraphed Mr. Chandler to deposit in the Hanover National Bank of New York, subject to draft, the sum representing the appointment of two Indian agents, or, in other words, \$10,000, which Mr. Chandler so deposited.

The telegrams between John W. Foster and Mr. Tyner were prior to the October election, and related to raising in legitimate methods money for the Indiana State campaign. None of them related to appointments to office of any kind whatever, as stated by the telegraphic officials to-day. The telegrams happened to be withdrawn from the telegraph company because Mr. Orton, before any subpomas had been issued by Congress, volunteered to return them to Mr. Tyner, who desired them because they were liable to misconstruction if reported from memory after destruction, and who has them undestroyed, and will produce them to the Committee.

THE NEW YORK NOMINATIONS.

Serious Defeat of the Administration in the

Senate's Executive Session. WASHINGTON, Jan. 27 .- The Administration met with a serious defeat to-day in the executive sersion of the Senate, in the refusal of that body to give John Sherman a chance to answer Gen. Arthur's letter before charges against the Collector and his reply were given to the public. This was the real struggle of to-day and the vote by yeas and nays, nearly four to one in favor of immediate publication, showed that only eight or ten Senators could be depended upon to support the Administration un-der all circumstances and upon all issues.

The proceedings in executive session opened with the report on the nomination of Collector Merritt, made by Senator Conkling, who announced the decision as unanimously adverse to the confirmation. In support of this report, he presented Gen. Arthur's reply, and the long document was read, taking nearly an hour. It was currently known around the Senate that Mr. Sherman, in his anxiety to meet the assertions made by Gen. Arthur, had addressed a note to the Chairman of the Committee, asking for a copy of the reply. Allusion was made to this by Senator Hoar, who acted to-day as the spokesman of the Administration, Mr. Hoar remarking in addition, that the removal of Arthur and Cornell was an act within the Executive discretion, and prompted by the best motives.

Senator Conkling replied sharply to this that he would refer the Senator to Arthur's reply, which showed the contrary—a reply prepared in twenty-four hours by an officer of the Government who had been hunted down by the entire resources of a department, with a Commission sitting for six months to collect facts in regard to his official administration, and detectives searching after his personal habits. Senator Conkling then moved, after a brief debate, that the correspondence in the case—Sherman's charges and Arthur's reply—be given to the public. To the surprise of those present Senator Hoar objected to this, but a vote being taken the publication was ordered.

Senator Thurman now rose, and referring to a suggestion he made four or five days ago that the entire proceedings upon this subject should be made public, a suggestion which he was glad to say appeared at that time to meet with the approval of the Senator from New York (Mr. Conkling), moved that the entire proceedings be made public. The first and immediate objections to this came from two or three Democrats. Messrs. Hoar and Dawes opposing it later.

Senator Maxey of Texas rose to a point of spokesman of the Administration, Mr. Hoar re-

crats. Messrs. Hoar and Dawes opposing it later.

Senator Maxey of Texas rose to a point of order, and objected to the adoption of any such motion as a very serious breach of precedent. Senator Eaton of Connecticut expressed himself as extremely doubtful of the effect of such action on the future proceedings of the Senate. Senator Edmunds, it is understood, raised the point that as this was a change in the rules of the Senate, a day's notice was needed before it could be considered. Senators Wadleigh and Ferry both took what appears to have been the anti-Administration side, in favor of publicity. Senator Hoar took the floor with an extremely vigorous speech, in which he attacked the motion as in a large measure a personal attack aimed at a member of the Administration, and an effort to bring before the country debate full of personal atuse, for no reason save the public effect which such a personal attack might have. To make such proceedings public he declared was neither for the public interest nor consonant with the dignity of the Senator. was neither for the public interest nor consonant with the dignity of the Senate. Senator Dawes followed in a similar vein, and some sharp rejoinders were made in various quarters, but the debate was closed by the numerous points of order and objections in detail which had been raised. These remained undecided, and the whole subject went over at adjournment, and the motion made by Senator Thurman remains the pending question to-morrow in the executive session.

It seems to be generally understood that the Democratic Senators will vote to make the proceedings public, but it would be a mistake to suppose that all the votes cast in favor of publicity can be commanded in layor of a motion to reject the nominations. The general impression is that Graham, Naval Officer, may be confirmed and Merritt rejected.

The nineteenth annual sale by the Artists' Fund Society began at 817 Broadway yesterday, Robert Somerville auctioneer. The sales were as follows: F. Miller.

The Saiute and Dogana, Venice, by C. P. Cranch, bought by J. G. Hertel.

Lake Paradise, by J. B. Bristol, \$150; bought by Kemp.

Bristol.

Zalim Morning in Massachusetts Bay," by Arthur
rtiey, \$450; bought by H. C. Kemp.
.ake George," by J. W. Casilear, \$65; bought by L. A. Noves. "Tanzier, Morocco," by R. S. Gifford, \$120; bought by Jackson.
"Storm and Sunshine," by John F. Weir, \$45; bought by J. V. Jackson.
"Baby Suddenly III," by John Carlin, \$18; bought by

name withheld.
"Summer Day in England," by E. Parton, \$410; bought
by E. D. Wilson:
"Girl in Costume of Louis XIV. period," by S. Lawrie,
\$20; name withheld.
"The Old Homestead," by John D. Barron, \$40; bought
by Crawford. The Louisiana Senatorship. New Orleans, Jan. 27.—The Senatorial cau-cus has agreed to drop the lowest candidate. The fift ballot stood: Eustis, Eenner, and Jonas, 25 each; Man ning, 1. Adjourned to to morrow.

Help for the weak, nervous, and debilitated. Chronic and painful diseases cured without medicine. Electric Belts and other appliances, all about them, and how to distinguish the genuius from the sparrious Book, with full particulars, mailed tree. Call or address Pulvermacher Gaivame Co., 212 Broadway, New York.—ads.

BEN. NOYES'S INSURANCE CO.

HIS CHECK BOOK SHOWING WHERE \$30,000 OF ITS CASH WENT.

The Vigorous Fight in the Connecticut Legislature of 1875 in the Effort to Repeal its Charter-What the Receiver Found. NEW HAVEN, Jan. 27 .- Talcott H. Russell, the receiver of the National Capital Life Insurance Company, has discovered one of Ben. Noyes's check books, with stubs attached, which show, it is alleged, payments in 1875 amounting to \$30,000, made to persons who were in that year members of the Connecticut Legislature. It was asserted during that session of the Legislature that Noyes's agents were not confining themselves to argument in the lobby, and many of the best informed men in Hartford believed that money was being used by Noyes to prevent the Legislature from repealing the charter, but there was never enough proof of it to justify an open charge.

The question of the forfeiture of the charter

of Noyes's company, for he was the brains and absolute dictator of it, then known as the American National Life and Trust Company of New Haven, promised, when the Legislature came together, to be one of the most important of the session. Insurance Commissioner Stedman had pronounced the concern bankrupt, and in-sisted that the policy of Noyes was to freeze out the policy holders, and then divide up the assets among a half dozen stockholders. The assets were worth scheming for. There were \$100,000 in cash deposited with the Insurance Department of New York, and there was a large granite building in New Haven, one of the most imposing blocks in the city. But Commissioner Stedman, in a report to the Legislature,

granite building in New Haven, one of the most imposing blocks in the city. But Commissioner Stedman, in a report to the Legislature, said that Connecticut ought not to give its protection to any insurance company that was so thoroughly bunkrupt as this, and whose policy was one of great injustice. The only thing to do was to void the charter, wind the company up, and pay back to the policy holders all that could be secured for them.

Ben Noyes was in Hartford early in the session. He has been known for years in Connecticut as a fighter who never would acknowledge defeat, and he said in the lobbies of the hotel and Capitol that he would show the legislators that his company was sound, its business legitimate, and that Commissioner Stedman was actuated by a personal spite in urging the forfeiture of the charter. Then there began a contest that, for pertinacity, excitement, and bad feeling, had not been equalled since the strife over the abolition of the semi capital at New Haven. The make up of the Insurance Committee lingered upon this issue, and after it was announced it was seen that a majority were unfavorable to Noyes. They held many sessions. Commissioner Stedman, with experts, testified. He claimed that there was a defleiency of several hundred thousand dolars, and gave figures and expert testimony to show that he was right.

Noyes, with a strong corps of lawyers and lobbyists, was on the ground early and late. He seemed never to sleep. He always had a plausible answer for the inquisitive legislator, and was always ready to make an appointment to talk over the matter at any hour of the day or night. He announced that he should take the question to the courts, if he issue proved unfavorable to him, and if he got no satisfaction in the State courts, he would go to the United States Supreme Court. His friends say he would have done it. His leading counsel was Col. Dexter R. Wright, now Speaker of the lower House, and there were a dozen lawyers and professional lobbyists at work all the time. The Committee re

But there were sudden and unexplainable changes. One member who had been one of the strongest opponents of Noyes, within twenty-four hours after talking so vindictively of the company and its methods of doing business, stood up in his place and said that he should vote against the bill to forfeit the charter. There were many other conversions equally sudden and unexplainable, But the bill passed finally by a narrow margin. Had Noyes accepted this vertict he would not now be in the New Jersey State prison. But he made such a determined fight before the two Judges of the Superior Court who were appointed as referees to see whether the deficiency was made up in the time specified by the bill, that he practically won his case. They decided that there was a deficiency, but so small that Noyes, it is now asserted, by a system of borrowing checks, in which he was an adept, was able to make it appear that it had been made up.

Knowing that Commissioner Stedman would make a new application to the Legislature at the following session, Noyes prepared to get his company out of the reach of the Insurance Department. He began his negotiations with the New Jersey Mutual Life, which resulted in his conviction at Newark, last year, of conspiracy to defraud, for which he is now serving a sentence of eighteen months at Trenton, Noyes's arrest in Washington caused some excitement. He claimed that he was kidnapped, Aiter he was indicted, a New York and New Haven. Once they got him to Newark, but he forfeited his ball. He felt safe in New York and Connecticut, and New Jersey authorities still feel hardly toward Gov, Robinson for not helping them apprehend Noyes. He was in Washington arranging for the transfer of his company to the National Capital of that city, which would have taken the control of it from the Connecticut Insurance Department, when he was arrested by New Jersey officers who had shadowed him. With Noyes in jail, the energy and brain of the New Haven. Company were gone, and it speedily well and the heaves he had been that are in the stubs, but there would in great difficulty in guessing some of them.

Three Justices in Trouble.

Clemence Matthews, a Justice of the Peace of the town of Hempstead, Long Island, was yesterday in-dicted by the Grand Jury of Queens County on a charge of malfeasnee. He is accused of converting money be-longing to the town to his own use. Justice Alvin Webb of Passaic City, N. J., was arraigned before Judge Barkalow yesterday on an indict-ment for "not entering up the costs" in criminal cases ment for "not entering up the costs" in criminal cases that had been beginnbefore him. He plenied not guilty, and his trial was set down for to-morrow. Mr. Weolesse's the Prosecutor took sill his papers in former cases, so that he was prevented from collecting his fees from the county; and so he purposely neglected to send up the papers. He pleaded not guilty, he avers, to show where the responsibility lay.

Justice John Dwyer of Union Township, 'Hudson County, N. J., who was indicted on a charge of embezzioment, was arrested last mixt on a capias issued by Judge Garretson. Justice Dwyer, while Treasurer of the township, a position which he has filled for the last ten years, issued, it is charged, fraudulent certificates, and on them raised \$1,700. He gave \$1,500 bail.

John Birmingham died in the Charity Hospital in Jersey City on Friday night last. On the pre vious Monday night Birmingham, who had been drink vious Monday night Birmingham, who had been drink ing, became disorderly, and was arrested by a officer near the Five Corners, Jersey City Heaghth Birmingham was a powerful tellow, and he resisted arrest. It required four officers and considerable clubbing to subdue him. The next morning Birmingham was discharged, and shortly after his release he want to friend that he had been beaten before, but never so har as on Monday might, when he tell into the hands of the four poince officers. On We have day Birmingham showed symptoms of dementia, and before night he was raiving the was removed to the hospital, where he died in an un conscious condition.

WASHINGTON, Jan. 27.-Senator Ferry introduced to day a bill providing that able bodied male citi-zens between the ages of 18 and 45 years, resident within the respective states and Territor es, except such as may be exempt by law, shall constitute the militia. The militia are to be divided into two classes—the active be known as the national or State guard, as the Legislature of each State may prescribe, and the inactive to known as the reserve militia. The bill proposes to appropriate \$1,000,000 to providing arms, ammunition, and other ordinary and quartermaster stores for the active militia.

Ladies! Ladies! Don't miss the great fashion supplement, which is free to every purchaser of the New York Family Story Paper, out to-day.—Ada. DEMOCRATS IN CAUCUS.

Committing the Party in Congress on the

WASHINGTON, Jan. 27 .- The caucus of Democratic Senators and members this evening, after passing a resolution in regard to the bill limiting Chinese emigration which comes up to-morrow, did little beyond preparing a great deal of work for another joint caucus to be held next Monday. The proceedings were opened to-night by Mr. Luttrell, who made a short, fervid speech, and informed the Democrats somewhat plainly that their only hope of success in California next fall lay in prompt and vigorous action on the Chinese question. The other Democrat from the same State, Wigginton, presented a resolution declaring it as the sense of the Democratic party in Congress that it was expedient to abate Chinese immigration, and urging a modification of the treaty to this end. The resolution was passed, and a motion adopted in favor of the passage without debate to-morrow of the bill limiting Chinese immigration to fifteen Chinese pussengers per ship, under penalty of a heavy capitation tax for additional Chinese

Mr. Ewing then moved the adoption of two resolutions, committing the party representation in Congress is such to free coinage of silver and the substitution of currency notes for national bank bills. By general consent this went over until Monday's caucus. Two other resolutions presented by Mr. Mills of Texas and Mr. Rice of Onio, dealing with the tariff and the currency, went over for further consideration. The repeal of the Test Oath act and the entire Federal machinery for overawing elections in the State were made the subject of a speech by Mr. Henkie of Maryland, and he moved that a committee of three be appointed to confer with a like committee from the Democrats of the Senate in regard to the feasibility of securing a repeal of these laws. Before the question was put Mr. Thurman spoke, expressing his earnest sympathy with efforts for a repeal of these laws, and his belief that they must at no distant day be expelled from the statute book. It is understood that Mr. Henkie and Mr. Herbert will be two of the members of the committee on this subject. A committee is also to be appointed to act in conjunction with one from the Senate to determine upon the order and treatment of pending business. The caucus was very slimly attended, as has been pretty generally the case with Democratic caucuses of late. Mr. Ewing then moved the adoption of two

MRS. ANDERSON'S RIVAL.

A Westchester Milkmald Starting on a Three

At precisely 6 o'clock, last evening, Miss Annie Bartell of Westchester County appeared on a sawdust track laid on the second floor of the Brewster Building, Firth avenue and Fourteenth street, to endeavor to celipse the late feat of Madame Anderson by walking 3,000 quarter miles in 3.000 consecutive quarter hours. There was no an nouncement of what she was to perform, otherwise than in 3,000 consecutive quarter hours. There was no an nouncement of what she was to perform, otherwise than by advertisement and placards. A polished bell that looked as though it had done duty in a Fourteenth street boarding house summoned her to the track, and she appeared accompanied by her trainer, John Hughes, alias the Lepper. About fifty spectators were in the hall, including Cross-Town Carey, Charles Hazelton, Fred Coles, architect, Mr. Plummer, the English giant and timer of athletes, Mr. Barney Aston, and other lovers of outdoor and indoor sports. Miss Bartell was attired in a blue silk walking dress, trimmed with white lace, reaching down to her knees, white trunks, and plable high-laced shoes. A red silk cap of libertly crowned her head. She carried a light riding whip in her hands, and started off with easy swinning strakes, as thouch she appreciated the loss of the struck about a 3-40 gait to the quarter.

She walked her first quarter mile in 3-20-36, and after that she struck about a 3-40 gait to the quarter.

She is 20 years old, 5 feet high, and weighs about 140 pounds, has strong himbs and hips and large features, which tell of German parentage. The only leat she has performed before this attempt was to walk 07 miles in twenty-four hours. Her relatives say that she is in the habit of getting up long before daylight, milking many cows and walking long distances without latigue. They think she will accomplish her tass. Veteran sports, however, predict that she will collapse within the days.

Edward Belden of Milwaukee and Peter L. Van Ness of this city are progressing sturdily and gamely in their walk, in the old armory, at Hester and Elizabeth

Merchants in the Walking Arena. Thomas Cary, a cotton merchant of 165 Washngton street, and a gentleman in the wholesale grocers

business in New Haven arranged yesterday in titiouse, at 1,237 Broadway, to enter upon a six destrian contest in New Haven for \$500 a side.

In Memory of Robert Burns. A painting of the beardless, swarthy face of Robert Burns hung above the stage of Ecaford Hall, Greenpoint, last evening, surrounded by many flags. The Greenpoint Burns Club celebrated the 120th and iver The Greenpoint Burns Club celebrated the 120th amilyersary of Robert Burns. At 8 o'clock the guest-sencircled the tables, and soon the eating and drinking were begun. When the banquet was ended, flect-looted waiters bore in the smoking hargis. President follerly stepped aside, and Mr. James Bennett apostrophized the baggis in the isacilic. Anddresses, interspersed with sorgs by Mr James Nott and Miss Jenne Thorburn, were delivered by President follow and Corporation Counsel DeWitt, John Laird Wilson, Bernard Peters, the Rev. Dr. D. Henry Miller, Robert Anderson, Stephen Clark, and the Rev. T. Dewitt Talmage.

A Car Driver's Recklessness.

Annie E. Hardman, the little giri who was rushed by a vender's wagon in front of her home at 343 East Twenty-third street on Saturday, died in Bellevue

Investigating the National Trust.

Half an hour after the adjournment of the

The Afghan War. KHELAT-I-GHILZAI, Jan. 20 .- The cavalry occupied this place to-day, unopposed. Gen. Stewart, with the whole Second Brigade, will arrive to-incorrow. Marooxo, Jan. 28 - den. Roberts, previous to his tem-porarity quitting Krost, assembled the chiefs and warned them that the British would be always near, and would return instantly to quall any disturbance. It would be idle for them to emertain any hope of Russian aid, as Russla was impoverished in men and money.

Agnes Dougherty, a young woman without a Agnes Donnerty, a young wounday. She was carried to the Oak street police station and locked in a ceil over night. In the morning she was found to be helpless, and an ambinance was sent for. In the Chambers Street Hospital it was ascertained that her leg was backen.

Sergeant Wilson of the Charles street police,

was notified at midnight that George Waters of the canal-boat Annie Carroll, lying in the North River, at Barrow street, had di-appeared. Waters's hat and coat were found on the deck of the canalboat, and it is surmised that he may have committed suicide.

Sitting Bull Ready to Surrender. St. Paul, Jan. 27 .- Advices from Fort Lin-

coln say that runners from Sitting Bull have arrived at Standing Rock Agency bringing a distinct proposition from the chief to return and surrender his pure

LONDON, Jan. 27 .- The Daily Telegraph says

that the Pritish gunboat Goshawk left Cork on Saturday on a cruise, seeking intelligence concerning the alleged piratical steamer. The Goshawk overhatiled many ves-sels, but learned nothing, and it is believed that the letter of Capt. Adams is a hoax.

TURKEY CITY, Clarion County, Pa., Jan. 27.—
A fire broke out here early this morning, and the water works being frozen up, the fire spread rapidly in all discenses, and in an hour and a half the best part of the town was in ruins.

A Tornado in Texas. SULING, Tex., Jan. 27.-A tornado struck the

town or Lockport on Sunday evening demolishing forty houses, including churches, the Court House, and Ma-sonic Hall. A child was killed and reversi persons leady hurs.

LOUD TALK FOR SUPT. SMYTH

A ZEALOUS ALBANY MEMBER HURRY-ING TO DEFEND HIM.

Mr. Skinner Intimating that Certain Repub-licans Agree with Gov. Robinson—An Old Apportionment Scheme Again Presented.

ALBANY, Jan. 27 .- A new candidate for oratorical honors and for a front seat among the talkers of that talkative body presented himself to-night in the person of Mr. Knowles of Albany, who is the special representative of Superintendent Smyth, and an insurance agent. He secured for himself a seat on the second row of the talkers. The consideration of the Governor's message was the occasion for this display, and the particular part the recommendation of the Governor that the Insurance Department be abolished. That department, Mr. Knowles said, is efficient, effective, and popular, and had accomplished praiseworthy work in the protection of policy holders. Its work in the last twenty years was loaded down with eulogies Mr. Knowles then struck the attitude of a tragedian, and in tones that made the chamber ring. proclaimed that the Governor would destroy all this with the stroke of a pen. Against this sacrilege he, in the name of one million policy holders and of the good companies, solemnly protested. The crowning effort of this new orator in defence of the de-partment, was the reading of Superintendent

panies, solemnly protested. The crowning effort of this new orator in defence of the department, was the reading of Superintendent Smyth's letter to the companies, asking them whether they desired that he should be abolished, and then pointing to the replies of the companies, which were printed and placed on the dosks of members for this special occasion. With a repetition of the innuendoes of last year against the insurance record of Gov. Robinson, the new defender of Mr. Smyth, who was more bold than the attorneys of the Superintendent last year had the courage to be reased his case, fully convinced in his own mind that the Governor was annihilated.

Great was the surprise of orator Knowles when Lucky Grady arcses and announced that at the proper time several members would defend the position taken by the Governor in regard to the Insurance Department. Yet more was his astonishment when Mr. Skinner announced that there were several Republicans who approved the position of Gov. Robinson on this question. The member from Jefferson went still further and criticised the propriety of a member of the Insurance Committee prematurely coming forward with a speech on a measure which was before that Committee, bad taste, Mr. Skinner ought to have known that Mr. Knowles is afraid the Assembly will not sustain the Committee, and is trying to prepare that body for an adverse report. While Mr. Knowles pretended to be alming at the Governor he was in reality pointing his gun toward those Republicans who do not believe Mr. Smyth is the greatest man that ever lived.

The Senate held a sevén minute session. In that time Ham, Harris's bill appropriating half a million dollars to the new Capitol was recommitted to the Judiciary Committee, and an identical copy of the Apportionment bill agreed upon by the conference committee last year and killed the bill. This may explain why it has been reported again.

Corporal Langhein, not to be outdone, immediately presented his patent on the same subject in the form of a bill which names th

Driver and Horse Killed by a Train.

Robert C. Glendening, a milkman, of Dutch Kills, quitted his home yesterday morning later than usual, and was driving hurriedly over his route. He sland Railroad, near the Mayor's office, in Long Island

Killed on the Elevated Rallway.

About seventy-five workmen are engaged They mount to their labor by means of a ladder that re-mains standing all day. An old man climbed it yesterday mains standing all day. An old man climbed it yesterday morning at about 11 o'cheek, and asked the men if there was a chance for a lob. He was referred to the foreman, who was on the main line. The deferred to the foreman, the down track when the whistle of an abstacted to cross the down track when the whistle of an approaching trains warned him, and he turned book approaching trains enough. The engine struck him, killing him instantly, He was recognized as Jas. McKenney of Firty first street and Fourth avenue.

The Paris Exposition Lottery Drawing. PARIS, Jan. 27.-The drawing of the Exposition Lottery commenced yesterday in the large hall of the Trocadero Palace. A considerable crowd witnessed the froctagero Falace. A considerable crowd witnessed the drawing. The utmost order and quiet prevailed. Yesterday's drawing consisted of the first 359 price. No. 1, value \$5,000, was won by tacket No. 197,257 of the fifth series. No. 2, value \$20,000, by ticket No. 197,257 of the fifth series. No. 3, value \$10,000, by ticket No. 24,013 of the first series. No. 5, value \$10,000, by ticket No. 24,013 of the first series. No. 5, value \$5,000, by ticket No. 927,579 of the ininth series.

Four Vetoes by Mayor Howell.

Mayor Howell of Brooklyn yesterday vetoed of \$2.10 for painting and renumbering lamp posts, the vapulment of Clark D. Reinebert as Clerk in Justice Fisher's court in page of John Courtney, and the appropriation of \$2.25 to after the sterm doors of the new numbers buildings or that they shall swing inward only.

Generally cloudy weather and rain, with outherly to westerly wints.

JOTTINGS IN AND NEAR THE CITY.

THE SUN has received from "D." \$1 for Rosina Good-rich; anonymously \$1 for Peter Rooney. Officer Thomas McQuade of the Tombs Police Court The statement of the Westchester Fire Insurance Co. shows assets of \$832 706, including a surplus of \$475,618. Capt. Andley Harvey, Alde-de-Camp to the Marquis of Lorne, is at the Windsor, Charles Francis Adams, Jr., of Boston is at the Brevoort. Lorne, is at the Windsor, Charles Francis Adams, Jr., of Boston is at the Brevoort.

Thomas Ward, convicted of outrage in New York and sentenced to the sementary for ten years, has been pardoned by the Governor.

Judge Donohue has granted a stay, pending appeal from the mandamus granted by Judge Barrett, requiring County Clerk Gumbleton to show his fee books.

The Governor has signed the built to provide for the issue to the Manhattan Savings Institution of duplicates of certificates of debt and stock of this city and county.

Mr. Thomas H. Hartty, a reporter, who died of consumption vested by morning in St. Linke's Hospital, sit to be birred from the chapel of that institution, at 10 octook his smorning.

The schooner George Edwin, with coal, ran ashore in Northport Harbor, Long Island, on Savirday hight little feared six will go to pieces. Wreckers are hard at work unloading her.

William H. Carlough of Paterson, won a wager of \$25

William H. Carlough of Paterson won a wager of \$25 last night by enting three points of raw hambut in ten William H. Carlough of Paterson won a wager of \$25 ast night by eating three points of raw hailbut in ten nimites. According to the terms of the wager he had one hour and fitty minutes to spare.

The Committee of the House of Representatives consisting of Messra Lynde, Five, and Fichiev will investigate the charges against Commissioner John I Davenport this uncraining in the Federal binding.

Though the death of Mr. Bair Scribner is a serious loss to the firm of Charles Scribner's Sons, quadraters, yet the business of that firm will be carried on as before, without interruption to any of its branches.

without interruption to any of its branches.

Capt. Perry of the White Star steamship Britannic, which arrived yesterday, reports having sighted an Inman Line steamship with rudder disabled on Sunday. It is thought that it was the City of Montreal, bound in.

The condition of Angustus Phi lips, alias "Ostry Gooft," who was shot by Mrs. Mary Hooper in West Sixteenth street on Friday, was unchanged yesterday. The physicians are still unable to find the bullet that is buried in his body.